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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,856	06/02/2004	Dere Newman	34714	6563
23589	7590	09/26/2006	EXAMINER	
HOVEY WILLIAMS LLP 2405 GRAND BLVD., SUITE 400 KANSAS CITY, MO 64108			KYLE, MICHAEL J	
			ART UNIT	PAPER NUMBER
			3677	

DATE MAILED: 09/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/709,856	<b>Applicant(s)</b> NEWMAN ET AL.	
	<b>Examiner</b> Michael J. Kyle	<b>Art Unit</b> 3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 6-8 and 11-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-21, 23 and 24 is/are allowed.
- 6) ☒ Claim(s) 6-8, 22 and 25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Objections*

1. Claim 7 is objected to because of the limitation "said member". Examiner suggests revising this to -- said locking member -- to remain consistent with the terminology used in claim 6.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 6-8, 22, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Polzin et al ("Polzin", U.S. Patent No. 5,983,455) in view of Tomm (U.S. Patent No. 5,161,278). Polzin discloses an extension handle comprising a pair of elongated telescopically interfitted pole sections (30, 32), a locking mechanism (36) for locking the pole sections at any one of a number of different relative positions, where one of the pole sections (32) has one end adapted for supporting any one of a number of fixtures (at 19, 20; support fixture 14). The one end includes an outwardly projecting tool supporting and securing element (see threaded element at 20, figure 1) separate from the locking mechanism. Polzin fails to disclose the element to have first and second threaded portions with a locking member threadably disposed on the first threaded portion, as claimed.
4. Tomm teaches a handle that includes an outwardly projecting tool supporting and securing element (24) including first and second threaded portions (60 and 26, respectively; see

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figures 2 and 3) and a locking member (40) threadably disposed on the first threaded portion (60). The second threaded portion (26) is operable for threadably receiving each of the fixtures (20; column 3, lines 45-48). The locking member (40) is operable for engaging an end of a respective one of the fixtures (20; column 4, lines 42-53). The fixture is received on the second thread portion (26). The first and second threaded portions have different pitches from each other (see figure 3). Tomm uses locking element prevent relative rotation between the head member (on 20) and the connector body (24; column 2, lines 2-3). The difference in thread pitches allows for the head member to be quickly threaded to the connector body at the second thread, and for many rotations of the locking member relative to the connector body, which reduces the likelihood of the locking member becoming unthreaded from the connector body. The locking body and different thread pitches of the connector body as a whole prevent undesired unthreading of a head member from a handle. It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Polzin as taught by Tomm, such that the element (At 20) of Polzin is replaced with the connector body/element (24) and locking element (40) of Tomm, to prevent undesired unthreading of the head portion/fixture from the handle.

5. With respect to claims 7 and 8, Tomm further teaches the element (24) to comprise an elongated threaded body (see 24 in figure 3), and the locking member (40) to comprise an annular ferrule (42) threadably supported by the pole section (14) and moveably relative to the body (along threads 60). It is noted the pole supports the ferrule (42) through element (24). The ferrule (42) presents an outermost annular face, the annular face configured for directly abutting

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and engaging the proximal end of a fixture (20; column 4, lines 50-53) supported by and secured to the element (24).

6. With respect to claims 22 and 25, Tomm further teaches the thread pitch of the first portion (60) to be lesser than that of the second portion (26). Tomm also shows the second threaded portion (26) to be located outward from the first threaded portion (60). The second portion is outward from the first relative to the pole.

***Allowable Subject Matter***

7. Claims 11-21, 23, and 24 are allowed.

***Response to Arguments***

8. Applicant's arguments with respect to independent claim 6 have been considered but are moot in view of the new ground(s) of rejection. A combination of previously cited Polzin and newly cited reference Tomm has been incorporated into the rejection of claim 6, and all claims depending therefrom.

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Kyle whose telephone number is 571-272-7057. The examiner can normally be reached on Monday - Friday, 8:30 am - 5:00 pm.

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10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

mk

A handwritten signature in black ink, appearing to read "Michael J. Kyle", with a stylized flourish at the end.

Michael J. Kyle